

REMARKS

The Examiner in the Official Action has rejected claims 1-3 and 33-38 under 35 USC § 103(a) as being unpatentable over an article entitled "Kodak to Deliver Digital Photos Via AOL" (hereinafter referred to as GlobalMedia) in view of an article entitled "AOL And Kodak to Offer Online Photo Delivery Service" (hereinafter referred to as ComputerWire).

Independent claim 1 is directed to a method of storing and viewing a collection of digital images. The method includes providing a plurality of users each with a unique user ID associated with an event URL. This event URL is not a URL associated particularly with a single individual, but is used in association with an event whereby a plurality of different users may have access directly. The independent claim further includes a shared memory image storage location at the photo service provider for sharing of images among the plurality of users without the need for any of the users having to notify any of the other users. Thus, in the present invention, one user of the shared memory storage location need not do anything with respect to notification of the others of the availability for accessing the images. Each of the users have the ability to upload images to the memory storage location and for accessing the images that have been provided thereto using the unique user ID associated with each of the users and the associated password.

The present invention allows the sharing of images with respect to a common event, such as a family gathering, wedding, birthday, anniversary or an event at a common location such as a racecar event or other sporting event. Each of the users is provided with a unique user ID that is associated with the event URL that allows direct access by each of the users.

The present invention allows a plurality of different users to access a common shared image file without any work required of any of the individuals that have access to the share file location.

The Examiner in the rejection acknowledges that GlobalMedia does not disclose providing the plurality of users each with a unique user ID associated with an event URL identifying the network service provider and secondly there is no shared memory image storage location at the photo service provider for sharing of images among the plurality of users without the need for

any of the users having to notify any of the other users. The Examiner then relies on ComputerWire disclosing that individuals can give their screen name which allows them to retrieve pictures. As set forth in the ComputerWire article, AOL will provide one photo album free of charge to each member. As further set forth, when the photos are ready for on-line viewing, the subscriber receives notification upon logging onto AOL and can retrieve them into a photo inbox. Thus, even the original subscriber receives some type of notification. With respect to non-AOL members, they are allowed to view member albums for free by obtaining a screen name at the AOL.com site or will have to pay if they want to use the delivery and storage service themselves over the web. However, what is not said here is the manner in which the non-AOL users may access the site. There is no indication that the non-AOL member can simply view anyone's images. Quite the contrary, as Applicants have previously noted, the shared image occurs through the use of e-mailing to friends and family by inviting friends to view albums or gifts. The AOL system requires some type of action by the user for notifying other users of the availability to access the stored image. As previously noted, this is in contrast to the present invention where there is no requirement or necessity for providing any information by any one user to any of the other users for allowing access for sharing of images. There is no teaching or suggestion in AOL of having either an event URL or a common share where images can be uploaded to a single location as taught and claimed by Applicant. Thus, Applicant respectfully submits that the AOL system does not disclose either an "event URL" or a common location where more than one user can store images that are equally accessible as taught and claimed by Applicant. Applicants are not aware of any situation wherein the AOL system provides an event URL that is accessible by multiple users without invitation of another as taught and claimed by Applicant or allow multiple users to upload images to a common storage location.

Independent claim 33, the second independent claim upon which claims 34-38 depend at least ultimately. Claim 33 is similar with regard to claim 1 in that it is directed to a method of accessing a collection of digital images stored at the shared memory location at a network service provider among a plurality of users. As with independent claim 1, claim 33 allows the users to access without the need of any group having to notify any of the others in the group. An important part of independent claim 33 is the registering event with the network

photo service provider and assigning a specific URL for the registered event which identifies the shared image memory location. Here again, this is registering of a single event which identifies a location where various people may access the images. In the AOL systems described by the cited references, there is assigning of a particular account to specific individuals. There is no teaching or suggestion of providing an event specific URL as taught and claimed by Applicant. By registering of the event URL, this allows individuals to access the location without need for individuals to notify others of the ability to share images in a user account to which the cited references are directed. Clearly the cited references do not teach or suggest such a system.

The present invention provides a number of distinct advantages over the prior art. Typically in the prior art when images are shared over a network system among a plurality of users, one of the users must forward some type of e-mail to the other party advising them that such images are accessible at the service provider. In the present invention, this is not required or used as each of the plurality of users have an event URL which identifies the shared location where images are to be stored. The users, with the use of a user ID and/or password, are able to access the images that have already been provided for sharing. The images also allow individual users to each have the ability for transferring digital images to the service provider, each employing their own separate user ID and passwords. The separate URL and user IDs and passwords allow each of the users to obtain access to the common shared memory location where images are shared, yet at the same time allows control of the image that a particular user provides to the service provider. This is all done without the requirement of the user having the need or required to send e-mails to other individuals advising them that the images are available for sharing or requiring the other party to have a particular password to the sender's locally stored images at the photo service provider. The present invention allows a plurality of independent users or unrelated contributors that provide images to the shared memory location. Thus, the present invention has provided a unique method for sharing images among a plurality of different users which eliminate the need for any of the users having to electronic e-mail notification or provide user password to others for access images to be shared with that user. This is not taught or suggested by the cited references.

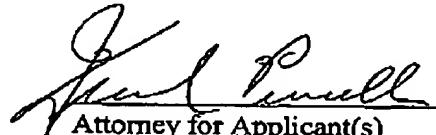
Applicant would like to point out that the event URL is not a URL associated with a specific single individual. The event URL is a commonly accessed URL wherein various independent people that have been authorized can have access to the shared location without any further control or access by any of the users.

The Examiner has also rejected claims 14-19 and 29 under 35 USC § 103(a) as being unpatentable over GlobalMedia in view of ComputerWire and further in view of Carson for reasons set forth therein. It is respectfully submitted that the Carson reference does not teach or suggest anything that would render Applicant's invention obvious. The Carson reference is simply directed to a method for finding telephone services that utilize a phone card. This reference clearly does not disclose providing access to a common shared location with respect to an event URL as taught and claimed by Applicant. The human readable card set forth at column 5, lines 24 et al. is simply directed to a phone card which identifies the phone card as one which is entitled a promotional lottery ticket or at least credit toward the purchase of a lottery ticket discount and the price of the lottery ticket and allows the lottery system to recognize the user's right to a lottery ticket or discount has been exhausted. There is no teaching or suggestion of providing access to a stored memory location where images are stored and allowing individuals to either upload or download images from that location. Thus, it is respectfully submitted that the Carson reference is of little relevance to the present invention.

Applicants respectfully submit there is no motivation, teaching or suggestion as to why one would take the teaching of Carson and combine it with any of the other references. In order to make any combination appropriate, there must be some motivation or suggestion to do so. The mere statement that it would have been obvious to make the modification must be based on some objective teaching or support. Applicants respectfully submit that the prior art does not suggest such. Even if one were to combine the references suggested by the Examiner, they still lack the teaching of the independent claims as taught and claimed by Applicant. Applicants have rejected numerous of the other dependent claims as being obvious for the reasons set forth therein. However, Applicants respectfully submit that these claims are patentably distinct for the same reasons the independent claims upon which they depend.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 27,370

Frank Pincelli/phw
Rochester, NY 14650
Telephone: 585-588-2728
Facsimile: 585-477-4646